

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER ALLEN, *et al.*

ORDER TO PRODUCE

Plaintiffs,

-vs.-

19-cv-8173 (LAP)

ECF

CARL KOENIGSMANN, *et al.*

Defendants.

TO: Superintendent, Marcy Correctional Facility
9000 Old River Road
Marcy, New York 13403

WHEREAS Mali Wilkerson DIN # 19A2287 is a putative class member in the above-captioned matter;

WHEREAS Mr. Wilkerson is currently in custody at Marcy Correctional Facility in Marcy, New York; and

WHEREAS Mr. Wilkerson's testimony is needed for an evidentiary hearing in the above-captioned matter; and

WHEREAS Marcy Correctional Facility has already been ordered to reserve the video conferencing equipment for February 10, 2023; and

NOW THEREFORE, IT IS ORDERED that the SUPERINTENDENT OF MARCY CORRECTIONAL FACILITY produce Mali Wilkerson on February 10, 2023 at 9:00am until his testimony is complete and/or the day's proceedings have ended to the location of the video conferencing equipment in Marcy Correctional Facility; and

IT IS FURTHER ORDERED that Mr. Wilkerson must be allowed to participate in the video conference in a privileged and confidential manner; DOCCS personnel must allow him to bring any legal papers Mr. Wilkerson has been sent by his counsel and he shall be allowed to testify without the presence of any third parties in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' personnel.

Dated: January 24, 2023

So ordered: Loretta A. Preska
LORETTA A. PRESKA, U.S.D.J.